

United States District Court

NOV 14 2014

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Cudberto Delgadillo Carrera

PRINCIPAL

United States

Case Number:

YOB: 1981

M-14- 2/7/ -M

Miguel Angel Ruiz-Navarro

CO-PRINCIPAL

the United Mexican States

A202 085 244

YOB: 1982

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 13, 2014 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Saul Alfredo Flores-Torres and Jose Manuel Lopez-Hernandez, citizens and nationals of El Salvador, along with seventeen (17) other undocumented aliens, for a total of nineteen (19), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On November 13, 2014 Rio Grande Valley Sector Fraud, Intelligence, Smuggling, and Terrorism Team (RGV FIST) Agents received information from a concerned citizen regarding two possible alien harboring locations, apartment #7 and #21, located at 3201 Vaughn Road in Donna, Texas. Agents proceeded to conducted surveillance on the apartments. At approximately 4:00 p.m., Agents observed a black Chevrolet Tahoe arrive and park in front of apartment #7. The driver later identified as Cudberto Delgadillo CARRERA, exited the vehicle and entered apartment #7.

Minuetes later, CARRERA exited apartment #7 and re-entered the vehicle and drove to apartment #21. He then exited the vehicle and entered apartment #21. Approximately ten minutes later, CARRERA exited apartment and re-entered the vehicle. At this time, agents observed that there was a passenger in the Tahoe. The passenger never exited the vehicle while it was under surveillance. The vehicle then exited the apartment complex and drove toward the expressway.

Continued on the attached sheet and made a part of this complaint:

Approved by
Joseph T. Leonard

☒ Yes ☐ No

Signature of Complainant

Frediberto Hernandez Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

November 14, 2014

Date

Peter E. Ormsby

U. S. Magistrate Judge

Name and Title of Judicial Officer

McAllen, Texas
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14- 217/ -M

**RE: Cudberto Delgadillo Carrera
Miguel Angel Ruiz-Navarro**

CONTINUATION:

At this time, Agents requested assistance from the Hidalgo County Constables Office. Deputy F. Gaitan conducted a traffic stop on the Tahoe for failure to signal at the required distance while exiting the expressway. During the traffic stop, Agents approached the traffic stop and conducted an immigration inspection. The driver, Cudberto Delgadillo CARRERA, stated that he was a United States Citizen. The passenger, identified as Miguel Angel RUIZ-Navarro, stated he was a citizen and national of Mexico who was illegally present in the United States. Both subjects were read their Miranda Rights by agents and both men waived their rights and stated they were willing to give statements. During the field interview, CARRERA stated he did not remember going to the apartments at all. RUIZ stated he was just accompanying his friend.

Agents returned to the apartment complex to conduct a "knock and talk" with the assistance of Hidalgo County Constables Office and HSI. A consent to search for undocumented aliens revealed 16 undocumented aliens in apartment #7 and 3 more undocumented aliens in apartment #21.

All subjects, excluding CARRERA, were transported to the Weslaco Border Patrol Station. CARRERA was placed under arrest by Hidalgo County Constables after they found less than 2 ounces of Marijuana inside the Tahoe.

Once at the Border Patrol Station, through interviews it was determined that CARRERA and RUIZ were involved in the harboring of the undocumented aliens inside both apartments. A Warrant for Arrest was generated for CARRERA.

PRINCIPAL STATEMENT:

Cudberto Delgadillo CARRERA was again read his Miranda Rights and interview by Border Patrol Agent M. Foster at Hidalgo County Jail. CARRERA denied any involvement in alien smuggling.

PRINCIPAL STATEMENT:

Miguel Angel RUIZ-Navarro was read his Miranda rights by agents and agreed to provide a statement without the presence of an attorney.

RUIZ stated that CARRERA, AKA: Blinky, is his ex-brother-in-law and he was helping him out because CARRERA had loaned him \$200. He stated that CARRERA smuggles aliens for a living and he has been helping him transport the aliens to the apartment complex. He admitted to helping CARRERA transport a total of eight subjects on three different occasions.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

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M-14- 2/7/ -M

**RE: Cudberto Delgadillo Carrera
Miguel Angel Ruiz-Navarro**

CONTINUATION:

MATERIAL WITNESS STATEMENTS:

Both Material Witnesses were read their Miranda Rights and agreed to make a statement without the presence of an attorney.

1-Saul Alfredo Flores-Torres admitted to being present in the United States illegally. He stated that he made smuggling arrangements with an unknown man in Reynosa and was going to pay a total of \$7000 to be smuggled to Houston, Texas. He claims to have already paid \$3500. He stated that after crossing the river, the guide told him and three other subjects to walk towards an antenna. They were then picked up and transported to the apartment where they were apprehended. Flores was shown a photo lineup and asked to identify the driver and passenger of the vehicle that picked him up. Flores positively identified CARRERA as the driver of the vehicle and RUIZ as the passenger. Flores also stated the conditions of the apartment were not good. It was dirty, there was no food, and the restrooms were unsanitary and without toilet paper.

2-Jose Manuel Lopez-Hernandez admitted to being in the United States illegally. He stated that he made smuggling arrangements with a man in El Salvador and was going to pay \$7000 to be smuggled to Maryland. He admitted to crossing the river with 12 other people and they were picked up by a black truck and transported to an apartment. Lopez was unable to identify the driver of the vehicle but was able to identify CARRERA in a photo lineup as the passenger and the person giving orders and telling the driver where to go.